

Appl. No. 10/647,814
Examiner: Solak, Timothy, Art Unit 3746
In response to the Office Action dated July 28, 2004

Date: October 28, 2004
Attorney Docket No. 10111953

REMARKS

Responsive to the Office Action mailed on July 28, 2004 in the above-referenced application, Applicant respectfully requests amendment of the above-identified application in the manner identified above and that the patent be granted in view of the arguments presented. No new matter has been added by this amendment.

Present Status of Application

Claims 1-6 are pending. Claim 4 stands rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 2 of application serial no. 09/738,331, now US Patent No. 6,793,469. The title of the invention is identified as not descriptive. Claims 2-3 and 5 stand rejected under 35 U.S.C. 102(b) as being anticipated by Feldman (US Patent No. 5,890,882). Claim 1 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Owen et al (US Patent No. 4,678,014). Claims 2 and 3 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art Figures 1A and 1B in view of Owen et al. Claim 4 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Feldman in view of Chaffee (US Patent No. 5,367,726).

In this paper, the title is amended according to the suggestion of the Examiner. Claims 3-4 are cancelled. Claims 1 and 2 are amended to recite the electric pump includes a pump body and an air outlet. New claims 7-8 are added. Support for the new claims can be found in Figs. 2 and 3A. Figs. 3A and 6C are amended to correct typographical errors.

Reconsideration of this application is respectfully requested in light of the amendments and the remarks contained below.

Drawings

In Fig. 3A, reference number "28" is amended to read "208" so as to correspond with the specification. Likewise, in Fig 6C, reference number "32" is amended to read "321" so as to correspond with the specification.

Applicant submits that no new matter has been added by the amendments to the drawings.

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Rejections Under 102(b)

Claims 2 and 5 stand rejected under 35 U.S.C. 102(b) as being anticipated by Feldman. Applicant respectfully traverses the rejections for the reasons as follow.

Claim 2 recites an inflatable product comprising an inflatable body; a socket built in the inflatable body; and an electric pump. The electric pump includes a pump body and an air outlet, and is connected to the socket to pump the inflatable body. The pump body is wholly or partially located in the socket. In embodiments of the invention, this provides for stable operation of the electric pump when pumping the inflatable body.

Feldman does not teach or suggest an inflatable product comprising, *inter alia*, an electric pump including a pump body and an air outlet, the pump body wholly or partially located in a socket built in an inflatable body, as recited in claim 2.

MPEP 2131 prescribes that to anticipate a claim, a reference must teach every element of the claim. In this regard, the Federal Circuit has held:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

"The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Feldman discloses an inflator with drop-in batteries and universal adaptors. In Fig. 6 of Feldman, a composite of an inflator housing 2 and attached transition structure with an adaptor 38 is ready to be inserted in valve 52 of a bladder 54. As shown in Fig. 6, only the adaptor, adaptor 38 (i.e., the air outlet) is received in valve 52. The inflator housing 2 (i.e., the pump body), is located outside the valve 52.

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Feldman does not teach or suggest that the pump body is wholly or partially received in the socket. For at least this reason, it is Applicant's belief that claim 2 is allowable over the cited reference. Insofar as claims 5-6 and 8 depend from claim 2, it is Applicant's belief that these claims are also in condition for allowance.

Rejections under 103(a)

Claim 1 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Owen et al. Claim 2 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art Figures 1A and 1B (AAPA) in view of Owen et al. Applicant respectfully traverses the rejections for the reasons as follow.

Neither AAPA nor Owen et al, when taken alone or in combination, teach or suggest an inflatable product comprising, *inter alia*, an electric pump including a pump body and an air outlet, the pump body wholly or partially located in a socket built in an inflatable body, as recited in claims 1 and 2.

MPEP 2142 reads in part:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

In connection with the third criteria, MPEP 2143.03 goes on the state:

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580

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(CCPA 1974). "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970).

As the Examiner notes, AAPA does not teach a pump body being wholly or partially located in a socket.

Owen et al teach an inflator/deflator with a molded housing. The inflator 10 comprises a housing 26, a nozzle 144, and a connector portion 149. As shown in Fig. 8, only the connector portion 149 (i.e., the air outlet) is located in the tubular portion T. The housing 26 (i.e., the pump body) is located outside the tubular portion T.

Applicant therefore submits that even when taken in combination, AAPA and Owen et al fail to teach or suggest all the claim limitations of claims 1 and 2. For at least this reason, it is Applicant's belief that claims 1 and 2 are allowable over the cited references. Insofar as claim 7 depends from claim 1 and claims 5-6 and 8 depend from claim 2, it is Applicant's belief that these claims are also in condition for allowance.

Notification of Reissue Application

The Examiner is hereby advised that a reissue application (Serial No. 10/747,010, filed on 12/24/2003, inventor Cheng Chung WANG) has been filed in connection with US Patent No. 6,332,760, from which the present application claims priority.

Prior Art in Earlier Applications

This application is a continuation application of U.S. Patent Application Serial No. 09/738,331, which is a continuation-in-part of U.S. Patent Application Serial No. 09/542,477. The Examiner is reminded to consider the prior art cited in the parent application. MPEP 609 and 2001.06(b).

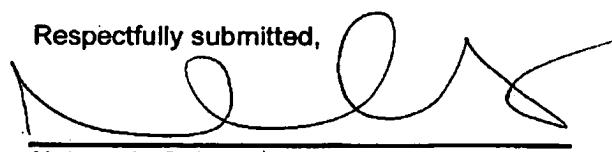
Conclusion

The Applicant believes that the application is now in condition for allowance and respectfully requests so.

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Respectfully submitted,



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